

AMENDED  
APPLICATION FOR PERMIT

Serial No. 10238

TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADA

Date of first receipt and filing in State Engineer's office APR 8 1938  
Returned to applicant for correction  
Corrected application filed APR 11 1938

The undersigned South Comstock Tailings Disposal Co.

Name of applicant

of Silver City, County of Lyon

State of Nevada, hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated. (If applicant is a corporation, give date and place of incorporation.) July 5th, 1934, State of Nevada

1. The source of the proposed appropriation is Gold Canyon Creek

Name of stream, lake, or other source

2. The amount of water applied for is 5 second-feet.

One second-foot equals 40 miners' inches

3. The water to be used for Tailings disposal purposes

Irrigation, power, mining, manufacturing, domestic, or other use

4. The water is to be diverted from its source at the following point:

NW $\frac{1}{4}$ , SW $\frac{1}{4}$  Sec. 23, T. 16 N., R. 21 E., M.D.B.&M., or at a point from which describe as being within a 40-acre subdivision of public survey, or by course and distance to a section corner. If on unsurveyed land, it should be so stated. the N.  $\frac{1}{4}$  corner of said Sec. 23 bears N. 26° 22' 20" E., 3,254.7 feet.

IF THE WATER IS TO BE USED FOR IRRIGATION, SUPPLY THE FOLLOWING INFORMATION:

(a) Number of acres to be irrigated is

(b) Description of land to be irrigated

Describe by legal subdivision, or if on unsurveyed land it should

be so stated and a description provided in accordance with special instruction from the State Engineer when application is returned for correction.

(c) Use will begin about \_\_\_\_\_ and end about \_\_\_\_\_, of each year.

Month Month

IF WATER IS TO BE USED FOR POWER, MINING, STOCK WATERING, OR OTHER USE, SUPPLY THE FOLLOWING INFORMATION:

(d) Power to be developed is horsepower.

(e) Works to be located SE $\frac{1}{4}$  Sec. 14 and portion of the N.  $\frac{1}{4}$  NE $\frac{1}{4}$  Sec. 23, Give 40-acre subdivision on which works will be located, or locate by course and distance to a section corner, T. 16 N., R. 21 E.

(f) Point of return of water to stream Not returned

Describe in same manner as point of diversion.

(g) State number and kinds of animals to be watered

(h) Use will begin about Jan. 1st and end about Dec. 31st, of each year.

Month Month

(i) Remarks

### DESCRIPTION OF PROPOSED WORKS

Tailings to be diverted by rock and earth dam of approximately 6 feet  
State manner in which water is to be diverted, whether by dam or other works, whether through pipes, ditches, flumes, or other conduits. If water  
in height and transported by flume of 120 sq. in. section on 2% grade  
is to be stored in reservoirs, it should be so stated and the location of the reservoir should be given with reference to the legal subdivisions.  
for approximately 3000 feet to storage reservoir where tailings are to  
be settled.

5. Estimated cost of works \$5,000.  
6. Estimated time required to construct works 10 years  
7. Remarks

For use of applicant

South Comstock Tailings Disposal, Applicant.

By Wm. M. Donovan

Vice President.

Compared RMG - CT

This sheet inspected

Protested June 28, 1938 by Southern Pacific Land Co. Engineer.

### APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all prior rights on the source. A substantial headgate and weir must be installed and maintained at or near the point of diversion to facilitate the measurement and control of water. The State reserves the right to regulate the use of the water herein granted at any and all times.

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed Three (3.0) cubic feet per second.

Actual construction work shall begin on or before February 20, 1941

Proof of commencement of work shall be filed before March 20, 1941

Work must be prosecuted with reasonable diligence and be completed on or before February 20, 1943

Proof of completion of work shall be filed before March 20, 1943

Application of water to beneficial use shall be made on or before

February 20, 1944. Proof of the application of water to beneficial

use must be filed with State Engineer on or before March 20, 1944

Map Filed APR 22 1938

Proof of commencement of work filed APR 11 1941 WITNESS MY HAND AND SEAL this 21st day

Proof of completion of work filed APR 11 1941

Proof of beneficial use filed FEB 19 1944

of August, 1940

Alfred Merritt Smith

State Engineer.

Compared RSA RMG